

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 22-11068 (JTD)

(Jointly Administered)

**Ref. No. 2270**

**CERTIFICATION OF COUNSEL**

I, Matthew R. Pierce, counsel to FTX Trading Ltd. and its affiliated debtors and debtors-in-possession (the “Debtors”), hereby certify as follows to the best of my knowledge, information and belief:

1. On August 30, 2023, the Debtors filed with the United States Bankruptcy Court for the District of Delaware (the “Court”) the *Debtors’ Fifth Omnibus Motion for Entry of an Order Authorizing the Debtors to Reject Certain Executory Contracts Effective as of the Rejection Date* [D.I. 2270] (the “Motion”)<sup>2</sup>.

2. Pursuant to the *Notice of Motion*, any response to the Motion was to be filed no later than September 6, 2023 at 4:00 p.m. (prevailing Eastern Time) (the “Response Deadline”).

3. On September 12, 2023, the Debtors filed with the Court the *Certification of Counsel* [D.I. 2491] (the “Certification of Counsel”) for the Motion. The Certification of Counsel stated that as of the date thereof, no formal objections or other responses to the Motion had been filed or served on the Debtors and the Debtors received informal comments (the “Informal

---

<sup>1</sup> The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification number are 3288 and 4063 respectively. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.ra.kroll.com/FTX>. The principal place of business of Debtor Emergent Fidelity Technologies Ltd is Unit 3B, Bryson’s Commercial Complex, Friars Hill Road, St. John’s, Antigua and Barbuda.

<sup>2</sup> Capitalized terms used but otherwise not defined herein shall have the meanings ascribed to them in the Motion.

Comments") to the proposed form of order from the Office of the United States Trustee (the "U.S. Trustee") that were resolved through revisions to the proposed form of order. In addition, the Certification of Counsel explained that the Debtors and Twilio, Inc. ("Twilio") had agreed to adjourn the Motion solely as it relates to Twilio.

4. On September 25, 2023, the Court entered the *Order Authorizing the Debtors to Reject Certain Executory Contracts Effective as of the Rejection Date* [D.I. 2697].

5. Subsequently, the Debtors have determined that rejection of Twilio's contract, as detailed in the Motion, should proceed.

6. Accordingly, the Debtors have prepared a supplemental order (the "Supplemental Order"), a copy of which is attached hereto as **Exhibit A**. Twilio has no objection to the entry of the Supplemental Order.

7. In accordance with the Court's electronic order processing procedures, a copy of the Supplemental Order shall be uploaded to CM/ECF.

8. Accordingly, the Debtors respectfully request that the Court enter the Supplemental Order at its earliest convenience.

Dated: October 9, 2023  
Wilmington, Delaware

**LANDIS RATH & COBB LLP**

/s/ Matthew R. Pierce

Adam G. Landis (No. 3407)  
Kimberly A. Brown (No. 5138)  
Matthew R. Pierce (No. 5946)  
919 Market Street, Suite 1800  
Wilmington, Delaware 19801  
Telephone: (302) 467-4400  
Facsimile: (302) 467-4450  
E-mail: [landis@lrclaw.com](mailto:landis@lrclaw.com)  
[brown@lrclaw.com](mailto:brown@lrclaw.com)  
[pierce@lrclaw.com](mailto:pierce@lrclaw.com)

-and-

**SULLIVAN & CROMWELL LLP**

Andrew G. Dietderich (admitted *pro hac vice*)  
James L. Bromley (admitted *pro hac vice*)  
Brian D. Glueckstein (admitted *pro hac vice*)  
Alexa J. Kranzley (admitted *pro hac vice*)  
125 Broad Street  
New York, NY 10004  
Telephone: (212) 558-4000  
Facsimile: (212) 558-3588  
E-mail: [dietdericha@sullcrom.com](mailto:dietdericha@sullcrom.com)  
[bromleyj@sullcrom.com](mailto:bromleyj@sullcrom.com)  
[gluecksteinb@sullcrom.com](mailto:gluecksteinb@sullcrom.com)  
[kranzleya@sullcrom.com](mailto:kranzleya@sullcrom.com)

*Counsel for the Debtors and Debtors-in-Possession*